



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

May 8, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

CLEAN WATER, CLEAN BEACHES MEASURE GENERAL ELECTION MILESTONE SCHEDULES (ITEM NO. S-1, AGENDA OF MARCH 12, 2013)

On March 12, 2013, the Board of Supervisors (Board) directed the Chief Executive Officer to report back regarding the necessary steps that the County must take should the Board decide to place the Clean Water, Clean Beaches Measure (Measure) on a general election ballot, and determine potential future election dates, with June 2014 or November 2014 as a goal, to ensure transparency to the public.

Background on the Clean Water, Clean Beaches Measure

The fee that is contemplated by the Measure is expressly authorized by the Los Angeles County Flood Control Act, as amended by AB 2554 (Chapter 602, Stats 2011), which provides in Section 2, subsection 8a, that the Los Angeles County Flood Control District (FCD) has the power to "impose a fee or charge, in compliance with the applicable provisions of article XIID of the California Constitution, to pay the costs and expenses of carrying out projects and providing services to improve water quality and reduce stormwater and urban runoff pollution in the district." Subsection 8c requires the governing board of the FCD to adopt an ordinance to implement the authority granted pursuant to subsection 8a.

Article XIID, Section 6 of the California Constitution sets forth a two-step procedure with which, the FCD must comply in order to impose the fee. First, the FCD is required to conduct a public hearing and consider all protests against the fee.

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If there is no majority written protest, then in order for the Board to adopt the proposed fee, the fee must be submitted to and approved by either (1) a majority vote of the owners of the properties that would be subject to the fee or, (2) at the option of the agency, by a two-thirds vote of the electorate (i.e., registered voters) residing in the affected area.

The Board conducted a public hearing on the Measure, which was closed on March 12, 2013, and there was not a majority written protest against the proposed fee. This memo serves to identify the key steps to conducting an election, the election costs, and the fee levy and collection timeframes should the Board desire to submit the Measure to a vote of registered voters in a general election.

Key Steps to Conducting an Election

June 3, 2014 Statewide Direct Primary Election

If the Board intends to submit the Measure to the voters at the June 3, 2014 Statewide Direct Primary Election, the Elections Code requires the Board to adopt a resolution giving notice of, and consolidating the election with the primary no later than 88 days before the date of election. March 4, 2014 is the last Board meeting prior to the 88 day deadline, which is March 7, 2014.

In addition, if the Board desires the implementation ordinance required by AB 2554 to be part of the ballot materials considered by the voters when voting on the Measure, the ordinance language must be included in the resolution adopted by the Board by March 4, 2014, as well.

The tentative Calendar of Events for the June 3, 2014 Statewide Direct Primary Election, (Attachment I), identifies the deadlines established by the California Elections Code, or actions otherwise identified by the Registrar-Recorder/County Clerk (RR/CC) that the County and/or FCD must take should the Board decide to place the Measure on the ballot in June 2014. The first critical action date is March 7, 2014, which is 88 days prior to the June 3, 2014 election, and is the last day for the:

- 1) FCD to file a resolution with the County Board of Supervisors and RR/CC requesting consolidation with the Statewide Direct Primary Election.
- 2) Board to place the Measure on the Statewide Direct Primary Election ballot and, if it so chooses, direct the Auditor-Controller (A-C) to determine its fiscal impact and prepare a statement.

Other critical dates are:

- 1) March 12, 2014: Deadline for Amendment or Withdrawal of the Measure
- 2) March 14, 2014: Publication Date Fixed to Submit Arguments
- 3) March 17, 2014: Last Day to Submit Arguments, and Last Day to Submit Impartial Analysis
- 4) March 18-27, 2014: Public Examination Period for the Ballot Measure Materials
- 5) March 27, 2014: Last Day to Submit Rebuttals
- 6) March 28 - April 7, 2014: Public Examination Period of Rebuttals

November 4, 2014 General Election

If the Board intends to submit the Measure to the voters at the November 4, 2014 Statewide General Election, the Elections Code requires the Board to adopt a resolution giving notice of, and consolidating the election with the primary no later than 88 days before the date of election. August 5, 2014 is the last Board meeting prior to the 88 day deadline, which is August 8, 2014.

In addition, if the Board desires the implementation ordinance required by AB 2554 to be part of the ballot materials considered by the voters when voting on the Measure, the ordinance language must be included in the resolution adopted by the Board by August 8, 2014, as well.

The tentative Calendar of Events for the November 4, 2014 General Election, (Attachment II), identifies the deadlines established by the California Elections Code, or actions otherwise identified by the RR/CC, that the County and/or FCD must take should the Board decide to place the Measure on the ballot in November 2014. The first critical action date is August 8, 2014, which is 88 days prior to the November 4, 2014 election, and is the last day for the:

- 1) FCD to file a resolution with the Board and RR/CC requesting consolidation with the General Election.

- 2) Board to place the Measure on the ballot and, if it so chooses, direct the A-C to review the Measure to determine its financial effect and prepare a fiscal impact statement.

Other critical dates are:

- 1) August 13, 2014: Deadline for Amendment or Withdrawal of the Measure
- 2) August 15, 2014: Publication Date Fixed to Submit Arguments
- 3) August 18, 2014: Last Day to Submit Arguments and Last Day to Submit Impartial Analysis
- 4) August 19-28, 2014: Public Examination Period for the Ballot Measure Materials
- 5) August 28, 2014: Last Day to Submit Rebuttals
- 6) August 29 – September 9, 2014: Public Examination Period of Rebuttals and/or Impartial Analyses

After November 14, 2014, the next possible date for conducting an election would be June 2, 2015.

Election Costs

The cost to the FCD to conduct an election would vary significantly depending on whether the election on the Measure is, or is not a part of a consolidated Statewide ballot. The estimated cost of conducting an election on the Measure would be much lower in June 2014 or November 2014, because these dates correspond to consolidated Statewide elections, enabling the FCD to share costs with other participating agencies.

The RR/CC provided the following estimated election costs:

Election Date	Estimated Cost
June 3, 2014	\$10.3 million (consolidated Statewide election)
November 4, 2014	\$10.0 million (consolidated Statewide election)
June 2, 2015	\$33.0 million (special, non-consolidated election)

Fee Levy and Collection Timeframes

The election date that is selected would impact the FCD's corresponding schedule for levying and collecting fees, should the Measure be approved by voters. The following table summarizes levy and collection timeframes by fiscal year (FY) for the possible election dates identified above:

Election Date	Fee Levy	Fee Collection
June 3, 2014	October 2014	FY 2014-15
November 4, 2014	October 2015	FY 2015-16
June 2, 2015	October 2015	FY 2015-16

The schedule assumes that the FCD provides data for the approximately 2.2 million parcels subject to the fee within the timeframes required by the A-C.

If you have any questions, please contact me, or your staff may contact Dorothea Park at (213) 974-4283, or via email at dpark@ceo.lacounty.gov.

WTF:RLR:DSP
BK:acn

Attachments (2)

c: Executive Office, Board of Supervisors
 County Counsel
 Auditor-Controller
 Public Works
 Registrar-Recorder/County Clerk
 Treasurer and Tax Collector



TENTATIVE CALENDAR OF EVENTS

STATEWIDE DIRECT PRIMARY ELECTION JUNE 3, 2014

IMPORTANT NOTICE

All documents are to be filed with and duties performed by the Registrar-Recorder/County Clerk unless otherwise specified.

DATES	EVENTS
MAR. 7 (F) 5:00 P. M. E-88	CONSOLIDATION OF ELECTIONS Last day for local jurisdictions to file a resolution with the Board of Supervisors and Registrar-Recorder/County Clerk requesting consolidation with the Statewide Direct Primary Election. (E. C. §§ 10400 - 10403) COUNTY MEASURES – FISCAL IMPACT STATEMENT Last day for the Board of Supervisors to place a county measure on the Statewide Direct Primary Election ballot and direct the county auditor to determine its fiscal impact and prepare a statement. (E. C. § 9160)
MAR. 12 (W) E-83	AMENDMENT OR WITHDRAWAL OF MEASURE – DEADLINE Last day for county elections official to receive a resolution from a legislative body requesting to withdraw or amend a measure previously submitted for placement on the ballot. (E. C. § 9605)
MAR. 14 (F) E-81	DATE FIXED TO SUBMIT ARGUMENTS – PUBLICATION Recommended last day to publish date fixed for submitting arguments for or against a county, school or district measure. (E. C. §§ 9163 and 9502)

DATES	EVENTS
MAR. 17 (M) 5:00 P.M. E-78	<p>ARGUMENTS – LAST DAY TO SUBMIT Last day to submit arguments for or against any county, district or school measure. Arguments may not exceed 300 words in length. (E. C. § 9162, 9163, 9315, 9316, 9501 and 9502)</p> <p>EXCEPTION: Provisions regarding word limit do not apply to measures for school district reorganization. (Ed. § 35758)</p> <p>IMPARTIAL ANALYSIS – LAST DAY TO SUBMIT Recommended last day for County Counsel to transmit impartial analysis of a county, district or school measure. (E. C. §§ 9160, 9313 and 9500)</p>
MAR. 18 (Tu) E-77	<p>MAR. 27 (Th) E-68</p> <p>PUBLIC EXAMINATION PERIOD FOR BALLOT MEASURE MATERIALS During this period, the elections official shall make available for public examination a copy of the ballot measure text, arguments, impartial analysis or bond statement for any county, district or school measure. A fee may be charged to any candidate/person obtaining a copy of the materials. During this period, any person may file a writ of mandate or an injunction to require any or all of the material/data to be amended or deleted. (E. C. §§ 9190, 9380 and 9509)</p>
MAR. 27 (Th) 5:00 P.M. E-68	<p>REBUTTALS – LAST DAY TO SUBMIT Last day for authors of arguments for and against any county, district or school measure to submit rebuttals. Rebuttals may not exceed 250 words in length. (E. C. §§ 9167, 9317 and 9504)</p>

DATES	EVENTS
MAR. 28 (F) E-67	<div data-bbox="462 338 630 401">APR. 7* (M) E-57*</div> <div data-bbox="670 338 1344 747"> <p>PUBLIC EXAMINATION PERIOD – REBUTTALS</p> <p>During this period the county elections official shall make available for public examination a copy of the rebuttals for any county, district or school measure. A fee may be charged to any candidate/person obtaining a copy of the materials. During this period any person may file a writ of mandate or an injunction to require any or all of the material/data to be amended or deleted. (E. C. §§ 9190, 9380 and 9509)</p> </div>

* Date adjusted due to weekend and/or holiday.



CALENDAR OF EVENTS

GENERAL ELECTION – NOVEMBER 4, 2014

IMPORTANT NOTICE

All documents are to be filed with and duties performed by the Registrar-Recorder/County Clerk unless otherwise specified.

DATES	EVENTS
AUG. 8 (F) 5:00 P. M. E-88	CONSOLIDATION OF ELECTIONS Last day for local jurisdictions to file a resolution with the Board of Supervisors requesting consolidation with the General Election. (E. C. §§ 10401 and 10403) COUNTY MEASURES – FISCAL IMPACT STATEMENT Last day for the Board of Supervisors to order a county measure to appear on the ballot and direct the county auditor to review the county measure to determine its financial effect and prepare a fiscal impact statement. (E. C. § 9160)
AUG. 13 (W) E-83	AMENDMENT OR WITHDRAWAL OF MEASURE – DEADLINE Last day for county elections official to receive a resolution from a legislative body requesting to withdraw or amend any measure previously submitted for placement on the ballot. (E. C. § 9605)
AUG. 15 (F) E-81	DATE FIXED TO SUBMIT ARGUMENTS – PUBLICATION Not later than this date a notice shall be published once in a newspaper of general circulation setting forth the date fixed to submit arguments for and against any county or school measure. (E. C. § 9163, 9502 and Govt. Code § 6061)

DATES	EVENTS
AUG. 18 (M) 5:00 P. M. E-78	<p>ARGUMENTS – LAST DATE TO SUBMIT Last day to submit arguments for or against any county, district or school measure. Arguments may not exceed 300 words in length. (E. C. §§ 9162, 9163, 9315, 9316, 9501 and 9502)</p> <p>EXCEPTION: These provisions regarding word limitation do not apply to a measure on school district reorganization.</p> <p>IMPARTIAL ANALYSIS – LAST DAY TO SUBMIT Recommended last day for County Counsel to transmit impartial analysis of a county, district or school measure. (E. C. § 9160, 9313 and 9500)</p>
AUG. 19 (Tu) E-77	<p>AUG. 28 (Th) E-68</p> <p>PUBLIC EXAMINATION PERIOD FOR BALLOT MEASURE MATERIALS During this period the clerk shall make available for public examination a copy of any ballot measure text, arguments, and bond statement for any county, district or school measure. A fee may be charged to any person obtaining a copy of the materials. During this period any person may file a writ of mandate or an injunction to require any or all of the material/data be amended or deleted. (E. C. §§ 9190, 9380 and 9509)</p>
AUG. 28 (Th) E-68	<p>REBUTTALS – LAST DAY TO SUBMIT Last day for authors of arguments for or against a county, district or school district measure to submit rebuttals. Rebuttals may not exceed 250 words in length. (E. C. §§ 9167, 9317 and 9504)</p>

DATES		EVENTS
AUG. 29 (F) E-67	SEPT. 9 (Tu) E-56	PUBLIC EXAMINATION PERIOD FOR REBUTTALS/IMPARTIAL ANALYSES During this period, rebuttals and/or impartial analyses for any county, district or school measure shall be open for public examination. A fee may be charged to any person obtaining a copy of the material. During this period any person may file a writ of mandate or an injunction to require any or all of the material/data to be amended or deleted. (E. C. §§ 9190, 9380 and 9509)